



**State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-1370 FAX (603) 271-1381

February 7, 2003



Mr. John Cummings  
President  
Cummings Printing Co.  
4 Peters Brook Drive  
Hooksett, New Hampshire 03106

**CERTIFIED MAIL (7099 3400 0003 0687 1960)  
RETURN-RECEIPT REQUESTED**

**LETTER OF DEFICIENCY  
ARD No. 2003-001**

Dear Mr. Cummings:

On July 5, 2001, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") conducted a compliance inspection at Cummings Printing Co., ("Cummings") in Hooksett, NH. The purpose of the inspection was to determine Cummings' compliance status with the N.H. Administrative Rules Env-A 100 *et seq.*

As a result of the inspection and file review, this Letter of Deficiency ("LOD") is being sent to identify the following deficiencies:

1. Env-A 607.01 (g) requires the owner of a stationary source, area source, or device with total actual photochemically-reactive VOC emissions greater than or equal to 10 tons per year to obtain a temporary permit to operate. As a result of the inspection, file review and information submitted by Cummings to DES on August 29, 2002, DES has determined that Cummings exceeded the 10-ton VOC threshold in calendar year 1997 and for every year thereafter. DES received a permit application from Cummings on March 21, 2002.
2. Env-A 904.02 requires the owner or operator of any stationary source, area source or device to record and maintain information at the facility including the identification of each VOC-emitting process or device, the operating schedule during the high ozone season for each VOC-emitting process or device identified, and the actual VOC emission data from each VOC-emitting process or device identified. At the time of the inspection, Cummings did not have all of these records available. DES received these records on August 29, 2002.
3. Env-A 907.01 requires the owner or operator of any stationary source, area source or device subject to Env-A 600 to submit an annual emissions report which includes the actual annual emissions speciated by individual regulated air pollutants, including a breakdown of VOC emissions by compound. Beginning with calendar year 1999, the annual emissions report was required to be submitted to DES on or before April 15 of the following year. At the time of the inspection, Cummings had not submitted any emission reports for calendar years 1997, 1998, 1999, 2000 and 2001. DES received these reports on August 29, 2002.
4. Env-A 704.01 requires the owner or operator of any stationary source, area source or device which is required to have a temporary permit, state permit to operate or title V operating permit to annually pay emission-based fees for all permitted devices. In accordance with Env-A 704.04, fees for each calendar year are due by October 15<sup>th</sup> for the previous calendar year emissions. Cummings has not paid emission fees for calendar years 1997, 1998, 1999, 2000 and 2001.
5. Env-A 1404.01(b) requires Cummings to demonstrate compliance with Env-A 1400 following one of the methods specified in Env-A 1406.01. Further, Env-A 1400 requires this information to be retained on site and made available to DES upon inspection. At the time of the compliance inspection, Cummings had not completed the compliance demonstration as required by Env-A 1404.01(b). Cummings submitted this information to DES on July 26, 2001.

Although many of the deficiencies have been addressed, DES believes that the remaining deficiency can be resolved by Cummings taking the following action:

6. Within 30 days of receipt of this LOD submit the past-due emissions-based fee payment in the amount of \$4,961.58.

Payment shall be made to "Treasurer, State of New Hampshire" and shall be submitted to Mr. Newton Strickland at the following address:

NHDES Air Resources Division  
Compliance Bureau  
6 Hazen Drive  
P.O. Box 95  
Concord, NH 03302-0095

In addition to the above requested action, DES wants to remind Cummings that it must comply with all of the conditions contained in any permit or PrintSTEP Agreement issued to Cummings, including all recordkeeping and reporting requirements.

In the event compliance is not achieved within the time periods indicated, DES may initiate formal action against Cummings including issuing an order requiring the deficiency to be corrected, and/or referring this matter to the NH Department of Justice for imposition of civil and/or criminal penalties.

Please be advised that DES will continue to monitor Cummings compliance status and that this letter does not provide relief against any other existing or future violations. It is important that Cummings be aware of all the requirements stipulated in its PrintSTEP Agreement. Please feel free to contact DES should you have any questions regarding compliance with the NH Code of Administrative Rules Env-A 100 *et seq.* and the requirements of the PrintSTEP Agreement. A current copy of the Air Resources Division rules can be obtained from the DES website at [www.des.state.nh.us/ard/ardrules.htm](http://www.des.state.nh.us/ard/ardrules.htm), or by contacting the Public Information Center at (603) 271-2975. If you have any questions regarding this matter, or require further information please contact Joseph Ritz at (603) 271-1391 or Mary Ruel at (603) 271-6795.

Sincerely,



Pamela G. Monroe  
Compliance Bureau Administrator  
Air Resources Division

PGM/jwr

Enclosure: Emission Based Fees Invoices for CY 1997, 1998, 1999, 2000, 2001

cc R. Scott, NHDES-ARD  
G. Rule, DES Legal Unit  
R. Kurowski, EPA Region 1  
Town Council, Town of Hooksett  
AFS # 3301390272